

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Certificate of Public Convenience and Necessity

DEPARTMENT: Environmental Services

DIVISION: Solid Waste Management

AUTHORIZED BY: John Cirello

CONTACT: David Gregory

EXT: 2022

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute Certificate of Public Convenience and Necessity for Sun State Trees and Property Maintenance, Inc. to operate a yard waste recycling facility as described on the Certificate.

County-wide

David Gregory

BACKGROUND:

Chapter 235 of the Seminole County Code requires a company to obtain a Certificate of Public Convenience and Necessity from the Board of County Commissioners to operate a recycling facility in unincorporated Seminole County.

Sun State Tree Service and Property Maintenance, Inc. (Sun State) submitted an application to operate a yard waste recycling facility on CR 427 in unincorporated Casselberry. Sun State's application indicated that the company intends to grind yard waste from its own tree trimming operations and recycle the mulch through a commercial mulch company. Staff recommends issuance of a COPCN to Sun State under the following conditions:

- The facility shall process only yard waste material generated by the holder's own tree service operations.
- All material shall be processed and moved off site within 30 days on a first in-first-out basis.
- No more than 300 cubic yards of material (processed plus unprocessed material) shall be stored on site at any one time.
- The facility shall comply with all requirements of the Seminole County Land Development Code and all other applicable rules and regulations (per Seminole County Code Section 235.52(d)).
- The facility shall be operated in accordance with applicable Florida Department of Environmental Protection standards, including Section 62-709 Florida Administrative Code.
- The facility shall comply with all other Federal, State, and local requirements.

STAFF RECOMMENDATION:

Approve and authorize the Chairman to execute Certificate of Public Convenience and Necessity for Sun State Trees and Property Maintenance, Inc. to operate a yard waste recycling facility as described on the Certificate.

ATTACHMENTS:

1. COPCN

Additionally Reviewed By:

☒ County Attorney Review (Susan Dietrich)

ENVIRONMENTAL SERVICES DEPARTMENT
SOLID WASTE MANAGEMENT DIVISION



Certificate Of Public Convenience and Necessity

LET IT BE KNOWN, the holder of this Certificate of Public Convenience and Necessity ("the Holder") has read and agreed to comply with the requirements and standards of service set forth in Seminole County Code Chapter 235, and all other local, state and federal regulations that apply to the proper collection and disposal of waste. The Holder has acknowledged that failure to comply with any or all of the standards or requirements set forth in Seminole County Code Chapter 235 will result in termination of this Certificate of Public Convenience and Necessity.

This Certificate is issued on the condition of compliance with the following:

1. The facility shall process only yard waste material generated by the holder's own tree service operations.
2. All material shall be processed and moved off site within 30 days on a first in-first-out basis.
3. No more than 300 cubic yards of material (processed plus unprocessed material) shall be stored on site at any one time.
4. The facility shall be operated in accordance with applicable Florida Department of Environmental Protection standards, including 62-709 FAC.
5. The facility shall comply with all Federal, State, and local requirements and regulations.

Company Name: Sun State Trees and Property Maintenance, Inc.

Street Address: 295 Lyman Road

City, State & Zip: Casselberry, Florida 32707

Type of Operation: Yard Waste Recycling Facility

This Certificate of Public Convenience and Necessity is valid from execution through September 30, 2008, and is applicable to Yard Waste Recycling at the address indicated, only.

ATTEST:

Board of County Commissioners
Seminole County, Florida

Maryanne Morse

By: _____

Carlton D. Henley, BCC Chairman

Clerk to the Board of
County Commissioners of
Seminole County, Florida

Date: _____

For the use and reliance
of Seminole County only,
approved as to form and
legal sufficiency

As authorized for execution by the
Board of County Commissioners
at their _____, 20 _____,
regular meeting.

County Attorney

Seminole County
Certificate of Public Convenience and Necessity
COMPANY INFORMATION

Seminole County Code, Section 235.51 requires firms that collect waste, operate a landfill, disposal facility, recycling facility, or incinerator to possess a COPCN issued by the Board of County Commissioners. The COPCN is **valid from October 1, 2007 through September 30, 2008.**

Please complete all application items enclosed and return with a check to cover the \$100.00 application fee and \$20.00 for each vehicle identified on the Vehicle Identification List form included. Make checks payable to Seminole County BCC-COPCN and mail to Carol Norwood, Solid Waste Management Division, 1950 State Road 419, Longwood, Florida 32750. Firms not meeting these requirements will no longer be authorized to work in Seminole County. If you have any questions, please contact Carol Norwood at 407-665-2257.

Date: Sept. 17, 2007

Company Name: Sun State Trees & Property Maintenance Inc.
(Ensure corporate name matches name filed with Florida Department of State, Division of Corporations)

Mailing Address: 295 Lyman Rd.

City: Casselberry State: Florida Zip: 32707

Site Street Address: 1452 S.R. 427 (Ronald Reagan Blvd.)

City: Longwood State: Florida Zip: 32750

Contact Person: Greg Smith Phone: 407-331-8905 FAX: 407-339-8645

Email Address: sunstatetree@earthlink.net


Owner/Stockholders/5% or more: _____

List Prior Companies & Forms of Business: A Sun State Trees & Property Maintenance Inc.

Person responsible for quarterly reports: <u>Greg Smith</u>	Phone: <u>407-331-8905</u>
Email Address: <u>asunstatetree@earthlink.net</u>	

Statement of Capability and Financial Responsibility

I certify that Randall A. Nellis is capable of performing the service(s) applied for and is Financially Responsible.


Signature

9-17-2007
Date

Randall A. Nellis
Print Name above

RevD 9-19-07

Seminole County
Certificate of Public Convenience and Necessity

TYPE OF OPERATION

Does your company collect waste in unincorporated Seminole County?

If yes, please complete information below.

COLLECTION SERVICES:

Materials Collected

SOLID WASTE:

- Furniture N/A
- Garbage N/A
- Rubbish N/A
- Sludge

CONSTRUCTION & DEMOLITION DEBRIS:

- Concrete, brick and fines N/A
- Wood N/A
- Land Clearing Debris N/A
- Asphalt N/A
- Drywall N/A
- Roofing Shingles N/A

RECYCLABLE MATERIALS:

- Newspaper N/A
- Glass N/A
- Aluminum Cans N/A
- Plastic Bottles N/A
- Steel Cans N/A
- Other Plastics N/A
- Ferrous Metals N/A
- Non-Ferrous Metals N/A
- Corrugated Cardboard N/A
- Office Paper N/A
- Food Waste N/A
- Textiles N/A
- Other (specify) Tree products (Mulch)

SPECIAL WASTE

- Yard Trash N/A
- White Goods N/A
- Tires N/A
- Other (specify) N/A

HAZARDOUS WASTE:

- Biological Waste N/A
- Biohazardous Waste N/A
- Other (specify) N/A

Does your company operate a waste management facility in unincorporated Seminole County?

If yes, please complete information below.

FACILITY:

Address: 1452 C.R. 427
City Longwood FL. Zip 32750

- Equipment Parking and / or N/A
- Maintenance Yard Only. N/A

RECYCLING FACILITY:

- C&D Processing N/A
- Materials Recovery N/A
- Yard Waste/Tree Debris YES
- Disposal Facility, Specify N/A

!

Materials handled at facility (list all)

Tree Debris
Yard Trash
Mulch (wood chips)

Tons handled annually (per material, if applicable)

Item	Tons per year
<u>Mulch (2006)</u>	<u>10,753.24</u>
<u>Mulch (2007)</u>	<u>10,568.77</u>

Where do you deliver materials for disposal and / or processing?

Florida Mulch
Wheelabrator - Ridge Energy Inc.
Earthwise Mulch

NOTE:

* Include Copies Of All Pertinent
Regulatory Agency Operation Permits.
Attach additional pages as needed.

Seminole County
Certificate of Public Convenience and Necessity
COMPLIANCE AGREEMENT

NAME OF COMPANY: Sun State Trees & Property Maintenance Inc.

I/We have received and read Chapter 235 of the Seminole County Code. I/We fully understand that I/We must abide by and incorporate the requirements and standards of service set forth in this chapter in each agreement to provide service in Seminole County. I/We understand that failure to comply with any or all of the standards or requirements set forth in Chapter 235 of the Seminole County Code will result in termination of the Certificate of Public Convenience and Necessity.

Owner:  Pres. Date: 9/17/07
Signature

Print Name Randall A. Nellis Date: 9-17-2007

Notary Deanna M. Murray Date: 9-17-07
Signature

Print Name Deanna M. Murray Date: 9-17-07



Deanna M. Murray
My Commission DD290450
Expires February 12, 2008

Seminole County

Seminole County will issue a decal for each vehicle listed below.

- The decal will be issued upon COPCN approval and is to be displayed on the driver's side of the vehicle.

Company Name: Sun State Trees & Property Maintenance Inc.

[illegible]

Total number of vehicles:	0
X 20.00 per vehicle	20.00
Sum:	0

Make copies as necessary


Seminole County
Certificate of Public Convenience and Necessity
AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF Florida
COUNTY OF Seminole

COMES NOW, Randall A. Nellis, being first duly sworn, who deposes and says:

- (1) That he/she is the Owner / President, an officer
of Sun State Trees & Property Maintenance Inc corporation existing under
the laws of the State of Florida;
- (2) That he/she is authorized to execute the Certificate Of Public Convenience And Necessity
Application on behalf of the above named corporation; and
- (3) That this Affidavit is made to induce Seminole County to issue a Certificate of Public Convenience
and Necessity for solid waste commercial collection services to the above-named corporation.

FURTHER AFFIANT SAYETH NAUGHT

 , Affiant

The following Affidavit was signed, acknowledged and sworn to by Deanna M. Murray

(myself) before me this 17 day of September, 20 07

Deanna M. Murray
Notary Public, State of Florida

My commission expires: February 12, 2008



Deanna M. Murray
My Commission DD290450
Expires February 12, 2008